

Message Text

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ACTION FBO-05

INFO OCT-01 EUR-12 ISO-00 A-01 L-03 /022 W

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P 161442Z AUG 76

FM AMEMBASSY MOSCOW

TO SECSTATE WASHDC PRIORITY 7582

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E.O. 11652: N/A

TAGS: AFSP, ABLD, UR, US

SUBJ: EMBASSY RECOMMENDATIONS ON KIEV PROPERTIES

REF: MOSCOW 12837

1. SUMMARY - KIEV AUTHORITIES HAVE MADE IT CLEAR THEY WILL NOT RESPOND TO OUR OUTSTANDING REQUESTS ON CONSULATE PROPERTIES. WE BELIEVE OUR REQUIREMENTS ARE REASONABLE AND SUFFICIENTLY IMPORTANT TO WARRANT A SPECIAL EFFORT TO OBTAIN THEM. WE RECOMMEND THAT PRESSURE BE PLACED ON THE SOVIETS IN NEW YORK, IN THE FORM OF A REQUIREMENT TO VACATE THEIR CONSULATE BUILDING, AND OTHER MEASURES DESIGNED TO EMPHASIZE OUR DESIRE FOR MEANINGFUL NEGOTIATIONS. END SUMMARY.

2. ISSUES - THERE ARE TWO OUTSTANDING ISSUES TO BE RESOLVED BEFORE AGREEMENT ON THE ESTABLISHMENT OF ADVANCE PARTIES IN KIEV AND NEW YORK CAN BE REACHED. ONE ISSUE IS THAT OF SUFFICIENT ACCESS SPACE AT THE STRELETSKAYA CONSULATE BUILDING AND THE OTHER IS THE CHOICE OF FLOORS AT GORKIY FOR THE RESIDENCE OF THE CONSUL GENERAL AND TWO REPRESENTATIONAL APARTMENTS.

3. STRELETSKAYA - WE HAVE TAKEN THE POSITION THAT WE UNDERSTOOD WE WERE TO RECEIVE, AND MUST HAVE, A LARGER COURTYARD THAN THE SOVIETS HAVE OFFERED (THE DIFFERENCE IN THE AREA IS ABOUT 20 PERCENT). RECENTLY WE HAVE STRESSED A SPECIAL INTEREST IN RECEIVING THE AREA ADJACENT TO STRELETSKAYA 16 SIDE OF THE PROPOSED OFFICE BUILDING. SPECIFICALLY WE HAVE ASKED FOR A PLOT 2.5M X 16.5M, OR UP TO THE FOUNDATION LINE OF THE BUILDING TO BE

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RAZED ADJACENT TO S-16 AND A SMALL TRIANGULAR PIECE 7M LONG BETWEEN

THIS PLOT AND THE SOVIET PROPOSED GATE. WE HAVE CAREFULLY EXPLAINED OUR NEEDS IN TERMS OF EASE OF FREIGHT DELIVERY AND UNLOADING. AT THE SAME TIME WE HAVE PLACED LESS EMPHASIS ON REGAINING COMPENSATING TERRITORY ALONG THE REAR OF THE COMPLEX AND BEHIND S-12.

4. GORKIY - WE INITIALLY CHOSE THE SECOND FLOOR AT GORKIY FOR USE AS THE CONSUL GENERAL'S RESIDENCE AND THE THIRD FLOOR FOR THE TWO REPRESENTATIONAL APARTMENTS, TOGETHER WITH A REAR ENTRANCE. CLOSER EXAMINATION HAS SHOWN THE REAR ENTRANCE TO BE ENTIRELY UNSUITABLE AND THAT A FRONT ENTRANCE AND FIRST FLOOR APARTMENT FOR THE CG AND THE TWO APARTMENTS LOCATED ON THE SECOND FLOOR WOULD BE FEASIBLE, AND HIGHLY APPROPRIATE AND DESIREABLE. OUR REQUEST TO THE SOVIETS WAS CHANGED ACCORDINGLY.

5. DISCUSSION - SOVIET INTRANSIGENCE ON BOTH ISSUES HAS BLOCKED ANY COMPROMISE. THE EMBASSY BELIEVES THE SOVIET ARGUMENTS AGAINST THE US REQUEST FOR THE S-16 STRIP OF LAND, WHICH THEY HAVE RELATED TO THE NEEDS OF THE NEARBY HOSPITAL AND NEIGHBORHOOD, ARE SUPERFICIAL AND SEEM TO MASK A LOCAL DISPOSITION TO SIMPLY RESIST ANY "INCREASE" IN THE CONSULATE PROPERTY. THERE MAY OF COURSE BE SOME SECURITY-CONNECTED PROBLEM OF WHICH WE ARE NOT AWARE.

6. THE VERY SHARP TURNDOWN OF OUR REQUEST FOR THE FIRST AND SECOND FLOORS AND FRONT ENTRY AT GORKIY PROBABLY BEARS SOME RELATIONSHIP TO THE KIEV AUTHORITIES UNHAPPINESS OVER US REFUSAL TO APPROVE A "CONTRACT AMENDMENT" AT FLORENTSIYA. THERE MAY BE SOME ELEMENT OF PERSONAL EMBARRASSMENT TO SOVIET NEGOTIATOR LAVRUKHIN IN OUR CHANGED REQUEST, THOUGH PROBABLY NOT BEFORE THE TENANTS BUT HIS COLLEAGUES AND SUBORDINATES. IT ALSO SEEMS ENTIRELY POSSIBLE THAT THE SOVIET OPPOSITION TO US USE OF THE FRONT ENTRY AND FIRST FLOOR ARE RELATED TO ACCESS CONTROL CONSIDERATIONS.

7. SCENARIOS - AT PRESENT, WE ENVISION THE FOLLOWING POSSIBLE COURSES OF ACTION:

OPTION A: NO COMPROMISE; PRESS FOR SOVIET ACCEPTANCE OF OUR REQUIREMENTS AT STRELETSKAYA AND GORKIY;

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OPTION B: ACCEPT ALL SOVIET BOUNDARIES AT STRELETSKAYA, ATTEMPTING A TRADE OFF FOR SOVIET ACCEPTANCE OF OUR GORKIY REQUIREMENTS;

OPTION C: HOLD FIRM ON THE S-16 STRIP AND SETTLE AT GORKIY FOR FRONT ENTRY(EITHER PRESENT ENTRY OR NEW ONE TO BE CONSTRUCTED) AND USE OF SECOND AND THIRD FLOORS.

OPTION D: HOLD FIRM ON THE S-16 STRIP, ACCEPT USE OF SECOND FLOOR AT GORKIY FOR APARTMENTS AND REQUEST SOVIETS SHOW US ADDITIONAL CG RESIDENCE PROPERTIES;

OPTION E: ACCEPT SOVIET POSITIONS AT BOTH STRELETSKAYA AND GORKIY.

8. OPION A (NO COMPROMISE) PRO: WE BELIEVE THAT THE S-16 PLOT IS THE KEY TO AN EFFICIENT GSO OPERATION. WE HAVE ALREADY INDICATED A WILLINGNESS TO COMPROMISE ON THE S-12 SIDE AND THE REAR BOUNDARY IF THE SOVIETS WILL MEET OUR REQUIREMENTS ON THE S-16 SIDE. WITHOUT THIS SMALL SPACE ON THE S-16 SIDE, WE WILL ADD GREATLY TO THE DIFFICULTY OF DELIVERY AND UNLOADING OF FREIGHT. ACCEPTANCE OF A FLOOR AT GORKIY FOR THE CG RESIDENCE WAS A COMPROMISE AFTER OUR SEARCH FOR A FREE-STANDING RESIDENCE. THE FRONT ENTRY, FIRST FLOOR RESIDENCE AND SECOND FLOOR APARTMENTS IS THE MOST ADVANTAGEOUS AND BEST REPRESENTATIONAL USE OF GORKIY.

CON: OBTAINING THESE REQUIREMENTS WILL REQUIRE SIGNIFICANT PRESSURE ON THE SOVIETS IN NEW YORK, WHICH MAY ALSO HAVE NEGATIVE EFFECTS. FOR EXAMPLE IT COULD RESULT IN WORK STOPPAGE AT FLORENTSIYA, WHICH IS PRESENTLY PROCEEDING.

9. OPTION B (TRADE OFF) PRO: IT IS POSSIBLE, THOUGH NOT LIKELY IN OUR OPINION, THAT WE CAN ACHIEVE A TRADE OFF BY SIMPLY DROPPING THE REQUIREMENT FOR THE S-16 PLOT AND PRESSING FOR SOVIET AGREEMENT TO OUR TERMS ON GORKIY. THE S-16 PLOT IS NOT ABSOLUTELY ESSENTIAL, ALTHOUGH HIGHLY DESIREABLE.

CON: THE LOSS OF S-16 PLOT OF COURSE WOULD BE SIGNIFICANT IN TERMS OF GSO OPERATIONS. HOWEVER, WITHOUT USE OF PRESSURE IN NEW YORK, THERE IS NO ASSURANCE THE SOVIETS WOULD ACCEPT SUCH A TRADE OFF.

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10. OPTION C (REVERSE TRADE OFF) PRO: WITHOUT PRESSING THE SOVIETS IN NEW YORK, WE PRESS FOR AN ACCEPTABLE COMPROMISE AT GORKIY AND TRADE OFF ON THE S-16 STRIP. CON: THE RESULTING GORKIY APARTMENTS WOULD BE LESS CONVENIENT AND ACCESSIBLE. THERE IS NO ASSURANCE SOVIETS WOULD ACCEPT TRADE OFF WITHOUT PRESSURE IN NEW YORK.

11. OPTION D (RENEW SEARCH FOR RESIDENCE) PRO: WE TAKE A POSITIVE STEP IN ACCEPTING GORKIY SECOND FLOOR FOR APARTMENTS AND PLACE THE SOVIETS UNDER ADDITIONAL PRESSURE EITHER TO OFFER THE FIRST FLOOR FOR THE CG RESIDENCE OR TO MAKE OTHER PROPOSALS. CON: WE ARE AWARE OF THE LIMITED AVAILABILITY OF RESIDENCE POSSIBILITIES AND WE COULD FIND OURSELVES RECONSIDERING CHKALOVO OR PANASA MIRNOVO PROPERTIES. RENEWING THE SEARCH FOR A RESIDENCE WOULD

TAKE TIME AND COULD CLEARLY DELAY FINAL RESOLUTION OF ADVANCE PARTIES.

12. OPTION E (CAVE) PRO: (1) WOULD PROVIDE A QUICK SOLUTION AND WE COULD MOVE FORWARD TO ESTABLISH ADVANCE PARTIES; (2) WE WOULD AVOID POSSIBLE SHARP CONFRONTATION REGARDING REMOVAL OF SOVIET PERSONNEL FROM NEW YORK; (3) WE WOULD OBTAIN marginally acceptable OFFICE PROPERTY IN KIEV. CON: (1) WE WOULD SUFFER INCONVENIENCES AT STRELETSKAYA IN FREIGHT HANDLING; (2) AT GORKIY, WHILE USE OF SECOND AND THIRD FLOORS IS marginally acceptable, USE OF THE REAR ENTRANCE WOULD BE BOTH INCONVENIENT AND UNATTRACTIVE FROM BOTH THE USAGE AND REPRESENTATIONAL POINTS OF VIEW; (3) IF WE FOLLOW THIS COURSE WE CAN EXPECT NO SOVIET CONCESSIONS ON ANY OF THESE POINTS; (4) ON OTHER ISSUES WHICH COULD EASILY ARISE, KIEV OFFICIALS WOULD ADOPT SAME "TAKE IT OR LEAVE IT" ATTITUDE AND WE WOULD BE DEVOID OF LEVERAGE.

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P 161442Z AUG 76

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E.O. 11652: N/A

13. CONCLUSIONS AND RECOMMENDATIONS: WE BELIEVE OUR REAL OPTION IS BETWEEN FURTHER PRESSURE IN NEW YORK TO ACHIEVE OPTION A (OR B, C, OR D) OR MOVING TO OPTION E. WE STRONGLY RECOMMEND OPTION A. WE SHOULD NOT RETREAT FURTHER ON STRELETSKAYA TERRITORY. IF WE CAN GET OUR PREFERENCES AT GORKIY, THEY WOULD RESULT IN VERY GOOD APARTMENTS IN CONVENIENCE AND REPRESENTATIONAL TERMS. ACHIEVING THESE GOALS WILL REQUIRE SIGNIFICANT PRESSURE ON THE SOVIETS IN NEW YORK. WITHOUT THIS PRESSURE WE DOBUT WE COULD ACHIEVE ANY OF THE COMPROMISE GOALS OF OUR OTHER OPTIONS (B-D). OF COURSE, PRESSURE MAY CAUSE SOVIETS TO STOP WORK AT FLORENTSIYA, BUT THIS IS NOT SO LIKELY IF OUR UNDERSTANDINGS THERE REMAIN CLEAR. WE WOULD HOPE TO PRESERVE CONTINUING WORK AT FLORENTSIYA THROUGH LOW LEVEL CONTACTS TO MONITOR WORK AND SOLVE PROBLEMS AS THEY ARISE.

14. TACTICS: THE EMBASSY AND THE PRE-ADVANCE PARTY RECOMMEND

THE FOLLOWING STEPS TO EMPHASIZE TO THE SOVIETS OUR CONCERN
OVER THEIR POSITIONS ON OUR REQUESTS AT STRELETSKAYA AND GORKIY
AND OUR DESIRE FOR MEANINGFUL NEGOTIATIONS:

A. IMMEDIATE NOTICE TO SOVIET EMBASSY WASHINGTON AND MFA
THAT CARETAKER SOVIET STAFF MUST BE REMOVED FROM SOVIET
PROPERTIES IN NEW YORK BY SEPTEMBER 1, 1976, IF SOLUTION TO
OUTSTANDING PROBLEMS NOT REACHED BY THEN. (IF SOVIETS ARE CON-
CERNED ABOUT PHYSICAL SECURITY THEY CAN CONTRACT WITH PRIVATE
SECURITY AGENCY.)

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B. POSTPONEMENT OF KNOOP-
GRIMES VISIT UNTIL OUTSTANDING
ISSUES ARE SETTLED.

C. BREAKING OFF OF WEEKLY VISITS TO KIEV BY PORTER.

15. WE WOULD APPRECIATE THE DEPARTMENT'S ADVICE AND COMMENTS.
STOESSEL

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: n/a
Control Number: n/a
Copy: SINGLE
Draft Date: 16 AUG 1976
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: MartinML
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1976MOSCOW12906
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D760314-0342
From: MOSCOW
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1976/newtext/t19760850/aaaabrnb.tel
Line Count: 247
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION FBO
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 5
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 76 MOSCOW 12837
Review Action: RELEASED, APPROVED
Review Authority: MartinML
Review Comment: n/a
Review Content Flags:
Review Date: 07 MAY 2004
Review Event:
Review Exemptions: n/a
Review History: RELEASED <07 MAY 2004 by ElyME>; APPROVED <01 SEP 2004 by MartinML>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
04 MAY 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: EMBASSY RECOMMENDATIONS ON KIEV PROPERTIES
TAGS: AFSP, ABLD, UR, US
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 04 MAY 2006